

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
FIELD(division) DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**FIELD(defendant),**

**Defendant.**

**Case No. FIELD(number)**

**TRIAL SCHEDULING AND  
MANAGEMENT ORDER**

In order to efficiently manage and schedule the heavy criminal case load in this district, the following ORDER is entered. This order is subject to modification to meet the needs of a particular case.

1. **TRIAL DATE:** This case has been placed on the court's calendar and is scheduled to be tried commencing at 8:00 a.m. on **FIELD(Trial Date)**, before Linda R. Reade, United States District Court Judge. This may be one of many criminal cases scheduled to be tried on that date.

2. **FINAL PRETRIAL CONFERENCE:** Unless a separate Final Pretrial Conference is set by separate notice, a Final Pretrial Conference in this case will be held in the Chambers of the trial judge **8:00 a.m.** on the day scheduled for the commencement of trial. All counsel and parties are expected to be present for the Final Pretrial Conference.

3. **STATUS HEARING:** A status hearing before the undersigned is set for **FIELD(StHrg Time)** on **FIELD(StHrg Date)**, second floor courtroom, United States District Courthouse, Cedar Rapids, Iowa. **Trial counsel and defendants must attend in person.** If the date or time set forth below is not convenient for counsel, the

**in-person** hearing may be conducted at any time prior to the time scheduled for the hearing that is determined by counsel to be convenient for all parties and the court. **If a plea hearing is set or the court is notified that the defendant intends to plead prior to the date/time set for the status hearing, the status hearing is automatically canceled and neither trial counsel nor the defendant need appear.**

4. **PRETRIAL MOTIONS & MOTIONS IN LIMINE:** Motions challenging the extent to which the government is providing discovery, motions to suppress, to dismiss, for severance or other similar motions, and any notice of a defense to be filed pursuant to Rule 12.2 shall be filed on or before **FIELD(Motions Date)**. All Motions in Limine must be filed ten (10) business days in advance of the date scheduled for the commencement of trial. Resistances to the motions in limine must be filed at least five (5) business days in advance of the trial date. The court will take up the motions in limine at the Final Pretrial Conference.

Requests for subpoenas or writs of habeas corpus ad testificandum at government expense shall be submitted three (3) weeks prior to trial. A courtesy copy should be delivered to Judge Jarvey to ensure prompt processing of these requests.

All requested Voir Dire questions and trial briefs shall be filed not later than five (5) business days prior to trial.

5. **ACCEPTANCE OF RESPONSIBILITY:** This court has a very heavy volume of criminal cases which necessitates the scheduling of a number of criminal cases to commence on the same date. In order to afford all parties as much notice and opportunity to be prepared for trial as possible, the court anticipates making a final decision as to the cases to be tried and the order of trial, approximately two (2) weeks in advance of the date set for trial. Accordingly, all defendants are put on notice that the additional one level decrease for acceptance of responsibility provided for under USSG 3E1.1(b)(2) will not be given to the defendant, unless the defendant signs a plea agreement no later than the close of business fifteen (15) business days in advance of the date

scheduled for trial and enters the plea more than two (2) weeks before trial. A defendant who pleads guilty without a plea agreement must notify the court of his intention no later than fifteen (15) business days before trial and enter the plea more than two (2) weeks prior to trial. Once that deadline has expired, the parties can assume that the court will no longer grant the additional one level decrease because of the inability of the court to allocate its resources efficiently, unless exceptional circumstances are shown.

6. **JURY INSTRUCTIONS:** It is generally the practice of the court to use Eighth Circuit Model Jury Instructions in connection with all criminal cases tried in this court. Specifically, the court anticipates giving Model Instruction Nos. 1.01, 1.02, 1.03, 1.05 (including the bracketed portion), 1.06 (including bracketed portion which allows for notetaking), 1.07, 1.08, and 1.09 (including the bracketed portions) as the court's preliminary instructions at the commencement of the trial. At the conclusion of the trial the court anticipates giving Uniform Instruction Nos. 3.01, 3.02, 3.03, 3.04, 3.11 and 3.12. Unless the parties are otherwise notified, the court anticipates giving each of those instructions, and no request is required from the parties for the submission of those instructions as part of the preliminary and final instructions in this case.

All other proposed jury instructions shall be submitted five (5) business days in advance of the trial date in the following form:

- (a) Pattern instructions (numbered separately) may be requested by reference to the source of the instruction, including the name of the publication, page number, and instruction number from the following sources of pattern instructions: Manual of Model Jury Instructions for the District Courts of the Eighth Circuit, (1994 ed. West Publishing Co.); Devitt, et al., Federal Jury Practice and Instructions, (4th ed. 1992); Sand, et al., Modern Federal Jury Instructions (Matthew Bender).
- (b) Each non-pattern instruction shall treat a single subject and shall be set forth in full, double-spaced, on a separate sheet of paper. At the bottom of the instruction, the party advancing the instruction shall set forth the citation of the decision, statute, regulation or other

authorities supporting the proposition stated in the proposed instruction.

- (c) Any modification of a pattern instruction shall be disclosed. Additions shall be underscored and deletions shall be set forth by striking out the language sought to be deleted or setting out the deletions in parentheses.

7. **READING OF JURY INSTRUCTIONS:** It is the practice of the court to prepare a final, written version of the jury instructions to be read to the jury at the conclusion of the trial. It is also the practice of the court to not require the court reporter to report the reading of the jury instructions and the instructions will be considered read as published in the final written version. The parties will be given an opportunity to make a record as to any misreads of the instructions and further objections to the instructions at the conclusion of the reading of the instructions. It is also the practice of the court that the instructions will be read prior to final arguments pursuant to Fed. R. Crim. P. 30. If any party has an objection to any of this procedure, that objection must be raised at or before the Final Pretrial Conference.

8. **DISCLOSURE OF WITNESSES, EXHIBIT LISTS AND JENCKS MATERIAL:**

No later than the Friday before the commencement of trial, the United States shall provide to each defense attorney all materials required to be disclosed to the defendant under the Jencks Act for each witness identified on the witness list. No later than the day before it is anticipated that the Government will rest its case in chief, each defense counsel shall deliver to the Assistant United States Attorney prosecuting the case any Jencks Act material which relates to the witnesses listed on the defendant's witness list.


9. **JURY INVESTIGATION:** If any party does any type of jury investigation, the party shall disclose to the court and all opposing counsel the name of any potential juror that has been determined to have a criminal conviction for an offense more serious than a simple misdemeanor.

10. **CONDUCT OF TRIAL:** It is anticipated that the normal trial day will last from 9:00 a.m. to 5:00 p.m. The parties are expected to have witnesses available so that the court can take testimony through the full trial day so that there will be no undue delay in the receipt of evidence.

The parties and their attorneys are also expected to be at the courthouse and available in the courtroom by no later than 8:45 a.m. on each morning of trial. The time between 8:45 a.m. and the start of testimony at 9:00 a.m. will be used to review exhibits which the parties anticipate introducing into evidence during that trial day, to set up any audio-visual equipment (including the ELMO) and to take up any evidentiary or other issues which need to be addressed outside the presence of the jury. In the event any party believes that there may be particularly difficult issues which may require more than five or ten minutes to resolve, that party shall advise the court and opposing counsel of that fact so that an earlier time can be set to meet with counsel and the parties outside the presence of the jury and still start the receipt of evidence at 9:00 a.m.

11. **DEMONSTRATIVE DEVICES:** Parties are reminded of the requirement that counsel disclose to the court and opposing counsel all charts, summaries and other demonstrative devices the attorney anticipates using during opening statement or closing argument. This requirement does not apply to any exhibits admitted at trial which will be used during closing argument.

**FIELD**(Date Signed).

  
\_\_\_\_\_  
JOHN A. JARVEY  
Magistrate Judge  
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
FIELD(division) DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**FIELD(defendant),**

**Defendant.**

**Case No. FIELD(number)**

**STIPULATED DISCOVERY ORDER**

At the time of arraignment or initial appearance the following discovery obligations have been agreed to by the parties and the Court so ORDERS such compliance.

1. The United States will include in its open discovery file or otherwise make available law enforcement reports (excluding evaluative material of matters such as possible defenses and legal strategies), grand jury testimony and evidence or existing summaries of evidence in the custody of the United States Attorney's Office which provide the basis for the case against the defendant. The file will include Rule 16, *Brady*, and Jencks Act materials of which the United States Attorney's Office is aware and possesses. Should the defendant become aware of any *Brady* material not contained in the open discovery file, defendant will notify the United States Attorney's Office of such materials in order that the information may be obtained.

2. The United States may redact or withhold information from the open discovery file for security concerns or to protect an ongoing investigation. This does not preclude the defendant from requesting in camera review of such material by the court, upon proper showing, in order to determine whether or not it should be disclosed in accordance with Fed. R. Crim. P. 16. Where the United States withholds information from the open discovery file, notice of the withholding along with a general description

of the type of material withheld will be included in the open discovery file. The open discovery file will also not contain evidence which the United States has decided to use for impeachment of defense witnesses or rebuttal evidence. It will not include evaluative material of matters such as possible defenses and legal strategies or other attorney work product. The United States is authorized to disclose any defendant's tax information in its file to co-defendants for use consistent with this Order.

3. The information in the United States' discovery file may only be used for the limited purpose of discovery and in connection with the above-captioned federal criminal case now pending against the defendant. The information provided in discovery shall not be disclosed to or used by any person other than that defendant and his or her counsel, and may not be used or disclosed in any proceeding not part of the pending criminal case. This paragraph does not prohibit the sharing of information by co-defendants in this federal criminal case between or among counsel who are subject to this Order. No information obtained through discovery shall be shared with other defendants or their counsel who are not subject to this Order except through motion pleading or the offer of trial and sentencing exhibits.

4. Grand jury testimony, Jencks Act statements and any transcription, summary, notes or dictation of discovery material will remain in the sole custody of the party's attorney or the agent working on behalf of the attorney and shall not be left with the defendant. The prohibition on leaving materials with the defendant shall not apply to items discoverable under Fed. R. Crim. P. 16, specifically, the defendant's statements, the defendant's criminal record, and to the extent they are intended for use by the government as evidence in chief at trial, copies of documents, tangible objects, and reports of examinations and tests. The defense shall not photocopy or reproduce grand jury transcripts, Jencks Act statements or exhibits. If the attorney for the defendant is subsequently allowed to withdraw from this case, and a new attorney is appointed or

retained, upon agreement by the United States Attorney's Office, the withdrawing attorney may provide copies of transcriptions, summaries, notes or dictations of discovery material to the new attorney. The new attorney, however, shall be subject to the terms of this order.

5. Any summary, notes, transcripts or dictation of discovery material, including copies thereof, and copies of all discovery material, must be returned to the parties or certified as destroyed at the conclusion of the trial, sentencing or appeal, whichever is later.

6. Upon disclosure of the United States' discovery file, defendant shall immediately provide and shall be under a continuing obligation to provide disclosure of statements as defined in 18 U.S.C. § 3500(e)(1) & (2) and reciprocal discovery under Fed. R. Crim. P. 16(b) and 26.2.

7. Dictation of discovery materials is permissible, but duplication of materials by video, photography, copy machine, or computer scanner or other means may not be used unless the party providing the discovery specifically agrees to such method.

8. The United States' open discovery file generally satisfies its notice obligations pursuant to Fed. R. Crim. P. 12(b)(4) and Fed. R. Evid. 404(b) and 609(b). If the defendant identifies specific evidence in the open discovery file, however, and asks the United States whether it intends to introduce such evidence pursuant to Fed. R. Crim. P. 12(b)(4) or Fed. R. Evid. 404(b) and 609(b), the United States will specify whether it intends to use such evidence and if offered pursuant to Fed. R. Evid. 404(b), will identify the purpose for which it will be offered under the rule without further motion or order.

9. The parties will exchange a list of prospective witnesses and a list of prospective exhibits no later than five working days prior to trial. For witnesses for whom there existed no statements or reports that were subject to disclosure through discovery,

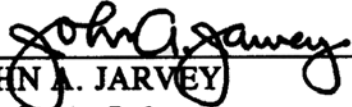


the party listing the witness shall also note next to the witness's name on the list the general purpose of his or her expected testimony.

10. This ORDER imposes a continuing duty to disclose on all parties.

**IT IS SO ORDERED.**

**FIELD**(Date Signed).

  
\_\_\_\_\_  
JOHN A. JARVEY  
Magistrate Judge  
UNITED STATES DISTRICT COURT

# UNITED STATES DISTRICT COURT

NORTHERN

District of

IOWA

UNITED STATES OF AMERICA

V.

ORDER OF TEMPORARY DETENTION  
PENDING HEARING PURSUANT TO  
BAIL REFORM ACT

**FIELD(defendant)**

*Defendant*

Case

**FIELD(number)**

Upon motion of the

detention hearing is set for

\* at

*Date*

*Time*

before

THE HONORABLE JOHN A. JARVEY

*Name of Judicial Officer*

ROOM 212, UNITED STATES DISTRICT COURTHOUSE, CEDAR RAPIDS, IOWA

*Location of Judicial Officer*

Pending this hearing, the defendant shall be held in custody by THE UNITED STATES MARSHAL

Date:

*Judicial Officer*

\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.

## UNITED STATES DISTRICT COURT

NORTHERN

District of

IOWA

United States of America

V.

ORDER SETTING CONDITIONS  
OF RELEASE

FIELD(defendant)

Case Number: FIELD(number)

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) 2nd/3rd floor courtroom, United States District  
Place  
Courthouse, Cedar Rapids, Iowa on \_\_\_\_\_  
Date and Time

## Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☐ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_ ) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community. IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and state) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

Date

(✓) (7) The defendant shall:

(✓) (a) report to the U. S. Probation Office,

telephone number 319-286-2370, as directed by U. S. Probation at the conclusion of this hearing.

( ) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

( ) (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described

( ) (d) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (e) maintain or actively seek employment.

( ) (f) maintain or commence an educational program.

( ) (g) surrender any passport to: \_\_\_\_\_

( ) (h) obtain no passport.

( ) (i) abide by the following restrictions on his personal associations, place of abode, or travel: \_\_\_\_\_

( ) (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: \_\_\_\_\_

( ) (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: \_\_\_\_\_

( ) (l) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

(✓) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

(✓) (o) refrain from any use of alcohol and you are prohibited from frequenting bars, taverns, or other establishments whose primary source of income is derived from the sale of alcohol.

(✓) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(✓) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

(✓) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

( ) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibit substance testing or electronic monitoring which is (are) required as a condition(s) of release.

( ) (t) participate in one of the following home confinement program components and abide by all the requirements of the program which ( ) will or ( ) will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

( ) (i) **Curfew.** You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or

( ) (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

( ) (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

(✓) (u) report within 24 hours, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(✓) (v) refrain from associating with any persons engaged in criminal activity and you shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer. You shall not associate with anyone that is using illegal drugs or frequent any place where illegal drugs are sold or used.

( ) (w) \_\_\_\_\_

( ) (x) \_\_\_\_\_

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**Advice of Penalties and Sanctions**

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TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

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Signature of Defendant

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Address

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City and State

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Telephone**Directions to United States Marshal**

- ( ☒ ) The defendant is ORDERED released after processing.
- ( ☐ ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judge at the time and place specified, if still in custody.

Date: \_\_\_\_\_

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Signature of Judicial Officer

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Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

## UNITED STATES DISTRICT COURT

NORTHERN

District of

IOWA

United States of America

V.

ORDER SETTING CONDITIONS  
OF RELEASE**COPY****FIELD(defendant)**Case Number: **FIELD(number)**

Defendant

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall appear at (if blank, to be notified) 2nd/3rd floor courtroom, United States District  
Place  
Courthouse, Cedar Rapids, Iowa on \_\_\_\_\_  
Date and Time

**Release on Personal Recognizance or Unsecured Bond**

IT IS FURTHER ORDERED that the defendant be released provided that:

- ( ☒ ) (4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- ( ☐ ) (5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_ )  
in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICES U.S. ATTORNEY U.S. MARSHAL

**Additional Conditions of Release**

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community. IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:

(Name of person or organization) \_\_\_\_\_

(Address) \_\_\_\_\_

(City and state) \_\_\_\_\_

(Tel. No.) \_\_\_\_\_

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: \_\_\_\_\_

Custodian or Proxy

Date

(✓) (7) The defendant shall:

(✓) (a) report to the U. S. Probation Office,

telephone number 319-286-2370, as directed by U. S. Probation at the conclusion of this hearing.

( ) (b) execute a bond or an agreement to forfeit upon failing to appear as required the following sum of money or designated property:

( ) (c) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described

( ) (d) execute a bail bond with solvent sureties in the amount of \$ \_\_\_\_\_

( ) (e) maintain or actively seek employment.

( ) (f) maintain or commence an educational program.

( ) (g) surrender any passport to: \_\_\_\_\_

( ) (h) obtain no passport.

( ) (i) abide by the following restrictions on his personal associations, place of abode, or travel: \_\_\_\_\_

( ) (j) avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution, including but not limited to: \_\_\_\_\_

( ) (k) undergo medical or psychiatric treatment and/or remain in an institution as follows: \_\_\_\_\_

( ) (l) return to custody each (week)day as of \_\_\_\_\_ o'clock after being released each (week)day as of \_\_\_\_\_ o'clock for employment, schooling, or the following limited purpose(s): \_\_\_\_\_

( ) (m) maintain residence at a halfway house or community corrections center, as deemed necessary by the pretrial services office or supervising officer.

(✓) (n) refrain from possessing a firearm, destructive device, or other dangerous weapons.

(✓) (o) refrain from any use of alcohol and you are prohibited from frequenting bars, taverns, or other establishments whose primary source of income is derived from the sale of alcohol.

(✓) (p) refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

(✓) (q) submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

(✓) (r) participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

( ) (s) refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibit substance testing or electronic monitoring which is (are) required as a condition(s) of release.

( ) (t) participate in one of the following home confinement program components and abide by all the requirements of the program which ( ) will or ( ) will not include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the pretrial services office or supervising officer.

( ) (i) **Curfew.** You are restricted to your residence every day ( ) from \_\_\_\_\_ to \_\_\_\_\_, or ( ) as directed by the pretrial services office or supervising officer; or

( ) (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer; or

( ) (iii) **Home Incarceration.** You are restricted to your residence at all times except for medical needs or treatment, religious services, and court appearances pre-approved by the pretrial services office or supervising officer.

(✓) (u) report within 24 hours, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

(✓) (v) refrain from associating with any persons engaged in criminal activity and you shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer. You shall not associate with anyone that is using illegal drugs or frequent any place where illegal drugs are sold or used.

( ) (w) \_\_\_\_\_

( ) (x) \_\_\_\_\_

---

**Advice of Penalties and Sanctions**

---

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to 10 years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

**Acknowledgment of Defendant**

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

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Signature of Defendant

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Address

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City and State

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Telephone**Directions to United States Marshal**

- ( ☒ ) The defendant is ORDERED released after processing.
- ( ☐ ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judge at the time and place specified, if still in custody.

Date: \_\_\_\_\_

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Signature of Judicial Officer

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Name and Title of Judicial Officer

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL